

## UNITED STATES BANKRUPTCY COURT

Eastern District Of California (Fresno Division Office )

**FILED**  
**01/15/04**CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
fres**DISCHARGE OF DEBTOR****Case Number: 03 - 19262-B-7**

Debtor Name(s), Social Security Number(s), and Address(es):

David Cesena

xxx-xx-2696

1937 W ORIOLE ST  
VISALIA, CA 93291

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

**SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.**

DATED: 01/15/04

FOR THE COURT  
RICHARD G. HELTZEL  
CLERK, U.S. BANKRUPTCY COURTFresno Division Office  
1130 O Street, Room 2656  
Fresno, CA 93721

Form BL/L55  
Continued (12/03)

### EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person (or persons) named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

#### Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *In a case involving community property, there are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.* A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

#### Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.

#### Debts That are Not Discharged

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- d. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f. Some debts which were not properly listed by the debtor;
- g. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged; and
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

**NOTE: The granting of this discharge does not affect any pending or subsequently filed complaints to determine the dischargeability of specific debts under 11 U.S.C. § 523.**

**This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.**

Enterprise Systems Incorporated  
11487 Sunset Hills Road  
Reston, Virginia 20190-5234

# CERTIFICATE OF SERVICE

District/off: 0972-1  
Case: 03-19262

User: autof  
Form ID: 265

Page 1 of 1  
Total Served: 13

Date Rcvd: Jan 15, 2004

The following entities were served by first class mail on Jan 17, 2004.

db	Cesena, David,	1937 W ORIOLE ST,	VISALIA, CA 93291
tr	Hawkins, Robert A.,	1849 N Helm #110,	Fresno, CA 93727
6685694	CITIBANK SOUTH DAKOTA NA,	ARTHUR W SHWACHMAN ESQ,	1445 HUNTINGTON DR, SUITE 300, SOUTH PASADENA CA 91030
6685695	DISCOVER CARD,	DISCOVER FINANCIAL SERVC,	POST OFFICE BOX 15251, WILMINGTON DE 19886
6685701	DISCOVER CARD,	POST OFFICE BOX 3007,	NEW ALBANY OH 43054
6685700	DISCOVER CARD,	POST OFFICE BOX 3008,	NEW ALBANY OH 43054
6685702	ESKANOS ADLER,	ATTORNEYS AT LAW,	2325 CLAYTON RD, CONCORD CA 94520
6685696	FIRST USA BANK ONE,	TRIADVANTAGE CREDIT SVCS,	1160 CENTRE POINTE DR, SUITE 1, MENDOTA HEIGHTS MN 55120
6685697	FIRST USA BANK ONE DELWR,	CARDMEMBER SERVICES,	POST OFFICE BOX 50882, HENDERSON NV 89016-0882
6685703	+MANN BRACKEN LLC,	ATTORNEYS AT LAW,	229 PEACHTREE ST NE, SUITE 700, ATLANTA GA 30303-1605
6685698	UNION 76,	POST OFFICE BOX 52202,	PHOENIX AZ 85072-2202
6685699	WELLS FARGO CARD SERVICE,	POST OFFICE BOX 30086,	LOS ANGELES CA 90030
6685704	WELLS FARGO CARD SERVICE,	POST OFFICE BOX 522,	DES MOINES IA 50302

The following entities were served by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 17, 2004

Signature:

